

REMARKS

The specification has been amended to correct minor clerical or syntactical errors which are self evident, and an artifact of a draft of the application. The claims have been amended in some cases with respect to the rejection under 35 U. S.C. §112, and in other cases with respect to the rejection under 35 U.S.C. §103, both of which will be discussed in more detail below.

The rejections under 35 U.S.C. § 112 are believed overcome by the amendments. In particular, the "exposed material" in claim 2 has now been referred to as the "exposed evanescent field material" which finds direct antecedent basis on line 2 of paragraph (b) of claim 1.

The objection referred to in claims 5 and 14 with regard to "the control section" has been overcome by inserting the word "phase" prior to "control section," as suggested by the Examiner.

With regard to claim 22, applicants have substituted the phrase "first pair of lasers" with the phrase "reference laser and a sensor laser" and further described the sensor laser as having exposed evanescent field material.

Regarding claim 23, applicant has inserted "said" between "which" and "fluid" as suggested by the Examiner.

The rejection of claims 1, 2, 4-12, 14-21 under 35 U.S.C. § 103(a) as being unpatentable over Lading et al. in view of Beregovski et al. and Seul et al., the rejection of claim 3 and 13 over Lading et al. and Beregovski et al. further in view of Seul et al., the rejection of claims 22 – 24 over Lading et al. are all respectfully traversed. Each of the independent device claims 1 and 10 have been amended to call for the sample chamber to be separate from the phase control section. The independent method claim 22 now refers to using phase control means to establish the heterodyned frequency and further calls for the adsorbent on the exposed evanescent field material to be separate from the phase control means.

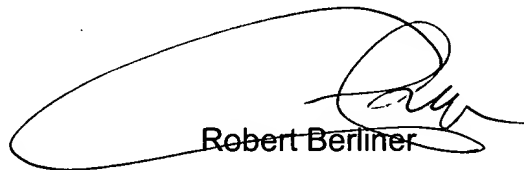
The Examiner acknowledges that Lading et al. do not disclose placing a phase section in its sensor laser. He relies upon Beregovski et al. which does disclose a phase section on the reference and sensor lasers. However, Beregovski et al. applies the sensitive coating directly to the phase sections whereas applicants' claims all call for

either the sample chamber to be separate from the phase control section or the adsorbent to be separate from the phase control means, a configuration not at all suggested by Beregovski et al. Accordingly, combining Beregovski et al. with Lading et al. does not result in the present invention.

Applicant submits that the claims are in condition for allowance and respectfully solicits a Notice of Allowance.

The Commissioner is hereby authorized to charge payment of any fees required associated with this communication or credit any overpayment to Deposit Account No. 50-0337. If an extension of time is required please consider this a petition therefor and charge any additional fees which may be required to Deposit account No. 50-0337. A duplicate copy of this paper is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert Berliner', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a trailing flourish.

Registration No. 20,121

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